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Fighting for Employee Justice



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April 25, 2025

**VIA ECF**

Hon. Robyn F. Tarnofsky  
United States Magistrate Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, N.Y. 10007-1312

**Re: Saunders v. Klub Canivibe LLC**  
**Case No. 1:24-cv-05768-JHR-RFT**  
**Letter Seeking Clarification of ECF Doc. 23**

Dear Judge Tarnofsky,

Our office represents Plaintiff Michael Saunders in the above-referenced matter. We write to respectfully seek clarification regarding the Court's Order dated April 21, 2025, directing Plaintiff to "seek default judgment against Defendant by May 12, 2025" (ECF No. 23). Notably, Plaintiff has already filed for default judgment on March 18, 2025, following Defendant's failure to file an Answer or otherwise respond to the July 30, 2024, Americans with Disabilities Act ("ADA") Complaint.

Specifically, on March 14, 2025, Plaintiff filed a proposed Clerk's Certificate of Default and Declaration in Support (ECF Nos. 13, 14). On the same day, the Clerk issued a Certificate of Default (ECF No. 15). Subsequently, on March 18, 2025, Plaintiff filed a motion for default judgment and accompanying documents pursuant to Fed.R.Civ.P. 55(b)(2) and Local Civil Rule 55.2(b) (ECF Nos. 16-19).

According to the docket, these filings were accepted, and it was our understanding that we were awaiting a ruling on the default judgment application. However, the Court's April 21, 2025, Order directs Plaintiff to "seek default judgment against Defendant by May 12, 2025."

We respectfully request clarification of the Court's directive in light of our March 18, 2025, filings. We look forward to the Court's guidance on this matter.

Thank you for your attention to this matter.

Respectfully submitted,

JOSEPH & NORINSBERG, LLC

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